

SIXTY-NINTH DAY

(Friday, May 17, 1957)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Martin was granted leave of absence for today on account of illness on motion of Senator Aikin.

Reports of Standing Committee

Senator Colson submitted the following report:

Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred H. B. No. 913, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred H. B. No. 439, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

Senate Concurrent Resolution 94

Senator Willis offered the following resolution:

S. C. R. No. 94, Suspending Joint Rules to consider S. B. No. 50.

Be it resolved by the Senate of Texas, the House of Representatives concurring, That the Joint Rules be and they are hereby suspended so that the House may take up and consider Senate Bill No. 50 at any time.

The resolution was read.

Senator Willis asked unanimous consent to consider the resolution immediately.

There was objection.

Senator Willis then moved to consider the resolution immediately.

The motion prevailed by the following vote:

Yeas—22

Aikin	Moffett
Bradshaw	Moore
Colson	Owen
Fuller	Phillips
Gonzalez	Reagan
Hardeman	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Willis
Lane	Wood

Nays—7

Ashley	Parkhouse
Bracewell	Ratliff
Fly	Weinert
Lock	

Absent

Hazlewood

Absent—Excused

Martin

The resolution was then adopted.

**Motion to Place House
Concurrent Resolution 116
on Second Reading**

Senator Bradshaw asked unanimous consent to suspend the regular order of business and take up H. C. R. No. 116 for consideration at this time.

There was objection.

Senator Bradshaw then moved to suspend the regular order of business and take up H. C. R. No. 116 for consideration at this time.

The motion was lost by the following vote: (not receiving two-thirds vote of the Members present.)

Yeas—18

Aikin	Lock
Ashley	Parkhouse
Bracewell	Phillips
Bradshaw	Ratliff
Colson	Reagan
Fly	Roberts
Hardeman	Smith
Krueger	Weinert
Lane	Wood

Nays—11

Fuller	Moore
Gonzalez	Owen
Herring	Rogers
Hudson	Secrest
Kazen	Willis
Moffett	

Absent

Hazlewood

Absent—Excused

Martin

House Bill 439 Ordered Not Printed

On motion of Senator Herring and by unanimous consent H. B. No. 439 was ordered not printed.

**Senate Bill 221 with
House Amendments**

Senator Smith called S. B. No. 221 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Smith moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent

Hazlewood

Absent—Excused

Martin

**Senate Bill 45 with
House Amendments**

Senator Smith called S. B. No. 45 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Smith moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent

Hazlewood

Absent—Excused

Martin

Senate Bill 447 with House Amendments

Senator Bracewell called S. B. No. 447 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Bracewell moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill:

Senators Bracewell, Phillips, Hazlewood, Reagan and Parkhouse.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has granted the request of the Senate for the appointment of a conference committee on S. B. No. 447.

The House has appointed the following Conference Committee on S. B. No. 447: Moore of Harris, Winfree, Elliott, Pressler, and Mann.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 571

Senator Gonzalez offered the following resolution:

Whereas, We are honored to have in the gallery of the Senate Ninth Grade of Dunbar Junior High School, San Antonio, accompanied by their teachers and sponsors, Mrs. Lottie S. Blair and Mrs. Garland Speaker; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented the students, teachers and sponsor to the Members of the Senate.

Senate Resolution 572

Senator Bracewell offered the following resolution:

Whereas, We are honored to have in the gallery of the Senate forty-five students of the Fifth and Sixth Grades of Ridgcrest Elementary School of Houston, Texas, accompanied by their teachers, Mrs. Jean Jackson and Mrs. Joan Gajdosik; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Bracewell by unanimous consent presented the students and teachers to the Members of the Senate.

Senate Bill 484 on First Reading

Senator Lock by unanimous consent moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Lock:

S. B. No. 484, A bill to be entitled "An Act amending Chapter 10 of Title 83, Revised Civil Statutes of Texas, so as to authorize the State Industrial Commission to conduct a program for attracting and locating new industries in the State, to be financed through contributions other than State funds; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Report of Standing Committee

Senator Owen by unanimous consent submitted the following report:

Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was

referred S. B. No. 484, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

House Bill 783 on Second Reading

On motion of Senator Weinert and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 783, A bill to be entitled "An Act creating an additional District Court in and for the Counties of Austin, Caldwell, Comal, Fayette, and Hays, to be known as the District Court of the 155th Judicial District; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 783 on Third Reading

Senator Weinert moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 783 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent

Hazlewood

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Nays—1

Aikin

Absent—Excused

Martin

House Bill 81 on Second Reading

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 81, A bill to be entitled "An Act to establish and create a Criminal Judicial District of Travis County and a Criminal District Court of Travis County; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 81 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 81 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Bracewell
Ashley	Bradshaw

Colson	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Lock	Willis
Moffett	Wood

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Aikin asked to be recorded as voting "Nay" on the final passage of H. B. No. 81.

House Bill 645 on Second Reading

On motion of Senator Fly and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 645, A bill to be entitled "An Act creating the 121st Judicial District, composed of the counties of Aransas, San Patricio, Bee, Live Oak and McMullen to be known as the 121st District Court, providing for the appointment and election of the Judge of the 121st District Court; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 645 on Third Reading

Senator Fly moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 645 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Ashley
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Bracewell	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Aikin asked to be recorded as voting "Nay" on the final passage of H. B. No. 645.

House Bill 438 on Second Reading

On motion of Senator Rogers and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 438, A bill to be entitled "An Act reorganizing the 64th Judicial District to be composed of the Counties of Hale and Swisher; creating the 154th Judicial District to be composed of the Counties of Lamb, Bailey, Parmer and Castro; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 438 on Third Reading

Senator Rogers moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 438 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin

Ashley

Bracewell	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 182 on Second Reading

On motion of Senator Owen and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 182, A bill to be entitled "An Act creating an additional District Court in El Paso County, Texas, to be known as the District Court of the 120th Judicial District; etc., and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 182 on Third Reading

Senator Owen moved that the Constitutional rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 182 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hardeman
Ashley	Hazlewood
Bracewell	Herring
Bradshaw	Hudson
Colson	Kazen
Fly	Krueger
Fuller	Lane
Gonzalez	Lock

Moffett	Roberts
Moore	Rogers
Owen	Secrest
Parkhouse	Smith
Phillips	Weinert
Ratliff	Willis
Reagan	Wood

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Committee Substitute
House Bill 604 on Second Reading**

On motion of Senator Bracewell and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

C. S. H. B. No. 604, A bill to be entitled "An Act creating the 120th and 121st District Courts, composed of Harris County; etc., and declaring an emergency."

The bill was read second time and passed to third reading.

**Committee Substitute
House Bill 604 on Third Reading**

Senator Bracewell moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that C. S. H. B. No. 604 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Krueger
Ashley	Lane
Bracewell	Lock
Bradshaw	Moffett
Colson	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest

Smith	Willis
Weinert	Wood

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Committee Substitute
House Bill 887 on Second Reading**

On motion of Senator Parkhouse and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

C. S. H. B. No. 887, A bill to be entitled "An Act creating additional district courts in Dallas County, Texas, to be known as the 141st Judicial District; etc., and declaring an emergency."

The bill was read second time and passed to third reading.

**Committee Substitute
House Bill 887 on Third Reading**

Senator Parkhouse moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that C. S. H. B. No. 887 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 311 on Second Reading

On motion of Senator Phillips and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 311, A bill to be entitled "An Act creating an additional district court for Galveston County to be known as the District Court of the 122nd Judicial District; etc., and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 311 on Third Reading

Senator Phillips moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 311 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Nays—1

Aikin

Absent—Excused

Martin

Committee Substitute

House Bill 486 on Second Reading

On motion of Senator Gonzalez and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

C. S. H. B. No. 486, A bill to be entitled "An Act creating three (3) additional District Courts in and for Bexar County, Texas, to be known as the 146th, 147th and 150th District Courts; etc., and declaring an emergency."

The bill was read second time.

Senator Gonzalez offered the following amendment to the bill:

Amend Committee Substitute H. B. 486 by striking out Section 2 and substituting therefor the following:

Section 2. Immediately on the effective date of this Act the Governor shall appoint with the advice and consent of the Senate a suitable person having the qualifications provided by the Constitution and laws of this State as Judge of the 150th District Court of Bexar County who shall hold office until the next general election and until his successor shall be duly elected and qualified as provided by the Constitution and laws of this State.

The amendment was adopted.

On motion of Senator Gonzalez and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

Committee Substitute House Bill 486 on Third Reading

Senator Gonzalez moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that C. S. H. B. No. 486 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 337 on Second Reading

On motion of Senator Fly and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 337, A bill to be entitled "An Act changing the composition of the 135th Judicial District so as to exclude San Patricio County therefrom; amending Chapter 306, Acts of the 52nd Legislature, as amended by Chapter 86, Acts of the 53rd Legislature. Regular Session, to delete pro-

visions relating to San Patricio County; providing for transfer of cases pending in the 135th District Court in San Patricio County to the 36th District Court in San Patricio County; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 337 on Third Reading

Senator Fly moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 337 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 14 on Second Reading

Senator Bracewell asked unanimous consent to suspend the regular order of business and take up H. B. No. 14 for consideration at this time.

There was objection.

Senator Bracewell then moved to suspend the regular order of business and take up H. B. No. 14 for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Ashley	Lock
Bracewell	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—3

Aikin	Ratliff
Phillips	

Absent—Excused

Martin

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 14, A bill to be entitled "An Act amending Article 1817, Revised Civil Statutes of Texas, 1925, so as to change the location of the Court of Civil Appeals for the First Supreme Judicial District from the City of Galveston to the City of Houston and making provision for suitable rooms for such Court and for the justices thereof; providing for the temporary conduct of business at either the City of Galveston or the City of Houston but providing that the change of location from the City of Galveston to the City of Houston shall be completed by January 1, 1958; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time.

Senator Phillips offered the following amendment to the bill:

Amend Section 2, House Bill 14, by striking therefrom Section 2 and substituting therefor the following:

"Section 2. From and after the passage of this Act, the Court of Civil Appeals for the First Supreme Judicial District may transact its business either at the City of Galveston or the City of Houston, as the Court shall determine it necessary and convenient; providing that all cases orig-

inating in Galveston County shall be heard and tried in such county."

The amendment was adopted.

(President Pro Tempore in the Chair.)

Senator Lane offered the following amendment to the bill:

Amend House Bill 14 by deleting the word "Texarkana" in subsection 6, line 40, Section 1. and substituting the word "Longview." and by inserting in subsection 12, line 51 of Section 1, the word "Longview" and a comma preceding the word "Beaumont," and further by inserting in Sec. 2, line 64, following the date "January 1, 1958" a semicolon and the following clause: "and until such change of location for the Court of Civil Appeals for the Sixth Supreme Judicial District from the City of Texarkana to the City of Longview shall be completed, such Court may transact its business either at the City of Texarkana or the City of Longview, as the Court shall determine it necessary or convenient and provided that the change in location of such Court from the City of Texarkana to the City of Longview shall be completed by January 1, 1958."

The amendment was read.

Senator Aikin raised the point of order that the amendment by Senator Lane seeking to change the location of the Court of Civil Appeals for the 6th Supreme Judicial District from Texarkana to Longview is not germane to H. B. 14 in that the purpose of the bill, as stated in the caption, is to change the location of the Court of Civil Appeals for the 1st Supreme Judicial District from Galveston to Houston.

The President Pro Tempore sustained the point of order.

On motion of Senator Bracewell and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

Record of Vote

Senator Phillips asked to be recorded as voting "Nay" on the passage of H. B. No. 14 to third reading.

House Bill 14 on Third Reading

Senator Bracewell moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 14 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Ashley	Krueger
Bracewell	Lock
Bradshaw	Moffett
Colson	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Weinert
Hudson	Willis
Kazen	Wood

Nays—5

Aikin	Ratliff
Lane	Reagan
Phillips	

Absent

Smith

Absent—Excused

Martin

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—24

Bracewell	Lane
Bradshaw	Lock
Colson	Moffett
Fly	Moore
Fuller	Parkhouse
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Nays—6

Aikin	Phillips
Ashley	Ratliff
Owen	Reagan

Absent—Excused

Martin

Message from the House

Hall of the House of Representatives
Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 60, Creating a special committee of fifteen members to study the problems and needs of the State's older citizens, and to make specific legislative recommendations on same to the next Legislature.

S. C. R. No. 68, Granting permission to Houston Turner to sue the State.

S. C. R. No. 73, Granting Perrin Cotter permission to sue the State.

S. C. R. No. 74, Granting John E. Cannon and wife permission to sue the State and the Battleship "Texas" Commission.

The House has concurred in Senate amendments to House Bill No. 329 by viva voce vote.

The House has concurred in Senate amendments to House Bill No. 498 by division vote.

The House refused to concur in Senate amendments to House Bill No. 244 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

The House refused to concur in Senate amendments to House Bill No. 103 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

H. C. R. No. 118, Suspending the Joint Rules so that the House may take up and consider S. B. No. 143 at any time.

The House has appointed the following Conference Committee on H. B. No. 244: Pipkin, Murray, Mann, Martin, and Puckett.

The House has appointed the fol-

lowing Conference Committee on H. B. No. 103: Dugas, Smith of Hays, Woolsey, Martin, and Latimer.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 320 on Third Reading

Senator Reagan asked unanimous consent to suspend the regular order of business and take up H. B. No. 320 for consideration at this time.

There was objection.

Senator Reagan then moved to suspend the regular order of business and take up H. B. No. 320 for consideration at this time.

The motion prevailed by the following vote:

Yeas—21

Ashley	Lock
Bracewell	Parkhouse
Bradshaw	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—8

Aikin	Moffett
Colson	Owen
Fly	Roberts
Hardeman	Rogers

Absent

Moore

Absent—Excused

Martin

The President Pro Tempore laid before the Senate on its third reading and final passage:

H. B. No. 320, A bill to be entitled "An Act making an appropriation to pay the principal due thereon of a certain judgment obtained against the State of Texas in Cause No. 104,974, styled Southern Minerals Corporation vs. The State of Texas in the 126th Judicial District Court of Travis County, Texas, according to the tenor, effect and reading of such

judgment; and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—19

Ashley	Lane
Bracewell	Lock
Bradshaw	Parkhouse
Fuller	Phillips
Gonzalez	Reagan
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Wood
Krueger	

Nays—10

Aikin	Owen
Colson	Ratliff
Fly	Roberts
Hardeman	Rogers
Moffett	Willis

Absent

Moore

Absent—Excused

Martin

Reports of Standing Committee

Senator Fly by unanimous consent submitted the following reports:

Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 17, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

FLY, Chairman.

Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 121, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass but that Committee Substitute for S. B. 121 do pass and be printed.

FLY, Chairman.

C. S. S. B. No. 121 was read first time.

Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 396, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FLY, Chairman.

Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 465, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FLY, Chairman.

Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 730, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FLY, Chairman.

Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 61, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FLY, Chairman.

Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 380, have had the same under

consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FLY, Chairman.

Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 812, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FLY, Chairman.

Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 435, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FLY, Chairman.

Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 483, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FLY, Chairman.

Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 482, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FLY, Chairman.

Senate Bill 380 Ordered Not Printed

On motion of Senator Moffett and by unanimous consent S. B. No. 380 was ordered not printed.

Senate Bill 115 on Second Reading

On motion of Senator Ratliff and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 115, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Revenue Fund, or such other funds as may be designated herein for each item, not otherwise appropriated; providing that before payment of any claim shall be paid from the funds hereby appropriated, the same shall have the approval of the State Auditor, the State Comptroller and

the Attorney General; etc.; and declaring an emergency."

The bill was read second time.

Senator Ratliff offered the following committee amendment to the bill:

Amend Senate Bill 115 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. The following sums of money, are hereby directed to be paid out of the sum appropriated and set aside by House Bill 133, Regular Session of the 55th Legislature, for the payment of itemized claims and judgments against the State.

To pay Lee S. Henry, Court Reporter, Criminal District Court No. 2, Tarrant County, Fort Worth, Texas, for preparing statement of facts	\$ 20.00
To pay C. E. Bishop, Official Court Reporter, Bell County, Belton, Texas, for preparing statement of facts	225.00
To pay Mrs. C. B. McDonald, c/o Donley Suddath, Attorney-at-Law, Henrietta, Texas, for refund of overpayment of ad valorem tax	6.32
To pay Mrs. Matthew Lewis, 1811 Bonner Street, Houston, Texas, for refund of overpayment of ad valorem tax	4.45
To pay Estate of Hazel Straw Wilson, 1002 Bissonett Avenue, Houston, Texas, for refund of overpayment of Inheritance Tax ..	1,311.91
To pay Tremont Oil Company, c/o Robert E. Henry, 809 Citizens Bank Bldg., Tyler, Texas, for refund of overpayment of Franchise Tax	290.25
To pay Bruce Campbell and Son Lumber Company, Box 407, Temple, Texas, for refund of overpayment of Franchise Tax	20.00
To pay Ervin L. Tinkham, 1526 West Hildebrand, San Antonio, Texas, for refund of overpayment of Use Tax	14.25
To pay Titus County Fair and Dairy Show, c/o Sam Williams, District Judge, Box 7, Mount Pleasant, Texas, for Warrant #617796 on which the Statute of Limitations prohibits payment	35.00
To pay City of Mount Pleasant, c/o Sam Williams, District Judge, Box 7, Mount Pleasant, Texas, for Warrants #613406 and 573945 on which the Statute of Limitations prohibits payment	3.56
To pay estate of Eric Bergwall, c/o C. K. Earl, Box 546, El Campo, Texas, for refund of overpayment of Inheritance Tax	649.63
To pay Marguerite M. Newton, Official Court Reporter, Room 207, Courthouse, Tyler, Texas, for preparing statement of facts	101.25
To pay Whit Waide, Official Court Reporter, District Court, Box 977, Angleton, Texas, for preparing statement of facts	136.20
To pay Byron A. Tinsley, Box 667, Orange, Texas, for per diem while serving as Commissioner of Sabine River Compact Administration	1,995.00
To pay Harold R. Clayton, Box 430, Port Arthur, Texas, salary for serving as Special District Judge	278.10
To pay C. E. Patterson, Box 548, Alpine, Texas, for travel expense while serving as District Attorney	600.00
To pay Wiley L. Cheatham, Cuero, Texas, for travel expense while serving as District Attorney	290.35

To pay Howard P. Green, District Judge, Cuero, Texas, for travel expense	360.04
To pay R. B. Cross, District Judge, Gatesville, Texas, for travel expense	316.10
To pay C. W. Laughlin, District Judge, Box 1375, Alice, Texas, for travel expense	243.00
To pay C. W. Laughlin, District Judge, Box 1375, Alice, Texas, for refund of salary paid into Judicial Retirement System, which money could not be considered as retirement	493.59
To pay U. S. Treasury Department, Internal Revenue Service, Austin, Texas, for motor fuel gas tax refund paid in error to Gatesville School for boys	74.08
To pay U. S. Treasury Department, Internal Revenue Service, Austin, Texas, for refund of Federal Tax on gasoline, paid in error to Texas Prison System	6,528.68
To pay Suntime Pipe Line Company, Box 1621, Corpus Christi, Texas, for refund of overpayment of Franchise Tax	5,235.61
To pay Theatre Enterprises, Inc., 810 Tower Petroleum Building, Dallas 1, Texas, for refund of overpayment of Franchise Tax	4,178.25
To pay Ready Hung Door Mfg. Corp., 703 Alamo Natl. Bldg., San Antonio, Texas, for overpayment of Franchise Tax	112.50
To pay Bowser, Inc, c/o Emmett Morse, Perry-Brooks Bldg., Austin, Texas, recovery overpayment of Franchise Tax, Judgment No. 106,391, Dist. Court, Travis County	2,760.67
To pay Harry L. Wear, Court Reporter, Court House, Austin, Texas, prepared statement of facts upon appeal	25.20
To pay Estate of Mrs. Hayne Nelms, c/o Mrs. Virginia Nelms Victery, 2217 Dunstan Rd., Houston, Texas, overpayment of Ad Valorem Tax	5.75
To pay E. T. Bomer, Sr., Rt. 1, Box 8, Robstown, Texas, overpayment of Ad Valorem Tax	16.72
To pay Panhandle-South Plains Fair Assn., c/o A. B. Davis, Ex-Vice President, Chamber of Commerce, Lubbock, Texas, overpayment of Admission Tax (under duress)	11,287.77
To pay West Publishing Company, St. Paul, Minnesota, for books delivered to Court of Civil Appeals at Texarkana, Texas	820.00
To pay Board for Texas State Hospitals and Special Schools, 4405 Lamar, Austin, Texas, for per diem of Board Members (Durwood Manford \$110.00) (Raleigh R. Ross, M.D. \$410.00) (James H. Wooten, M.D. \$110.00) (Rufus F. Higgs, \$60.00) (Herbert Martin, D.D.S. \$180.00) (James M. Windham \$110.00) (Jno. G. Dudley \$20.00) (Howard T. Tellepsen \$120.00)	1,120.00
To pay John W. Spies, 1613 Mohle Drive, Austin, Texas, for travel expense while Dean of Medical Branch of the University of Texas	7,641.40
To pay John W. Spies, M.D., 1613 Mohle Dr., Austin, Texas, for reimbursement of Air Travel Expenses paid by Ex-President of University of Texas Homer P. Rainey	183.00
The foregoing amounts payable to John W. Spies, M.D., are in full and complete payment for all claims for expenses and other claims against The State of Texas:	
To pay Wm. A. Hebert, Rt. 2, Box 114B, Beaumont, Texas, for slaughtered Tubercular reactor cattle	175.00
To pay W. P. H. McFaddin, Goodhue Bldg., Beaumont, Texas, for slaughtered Tubercular reactor cattle	774.03
To pay James Bible, Rt. 1, Canyon, Texas, for slaughtered Tubercular cattle	25.00
To pay Rodolfo Castamos, Jr., c/o State Natl. Bk., El Paso, Texas, for slaughtered Tubercular cattle	175.00
To pay Arthur Citzler, Rt. 2, Box 216, La Grange, Texas, for slaughtered Tubercular cattle	75.00
To pay Donald Dopslauf, Rt. 1, Box 16, La Grange, Texas, for slaughtered Tubercular cattle	150.00

To pay Rudie Gansky, Box 374, Schulenburg, Texas, for slaughtered Tubercular cattle.....	25.00
To pay Good Service Dairy, c/o S. J. Macias, Box 5237, Ascarate Branch, El Paso, Texas, for slaughtered Tubercular cattle.....	575.00
To pay F. E. Groessel, Rt. 1, Box 40, Clint, Texas, for slaughtered Tubercular reactor cattle.....	125.00
To pay J. J. Hebert Cattle Co., Box 3111, Beaumont, Texas, for slaughtered Tubercular reactor cattle.....	164.27
To pay Alvin F. Moudy, c/o 1st Natl. Bk., Tulia, Texas, for slaughtered Tubercular reactor cattle.....	275.00
To pay H. J. Penn, 4570 Mesa Rd., El Paso, Texas, for slaughtered Tubercular reactor cattle.....	200.00
To pay Prices' El Paso Dairy, c/o R. B. Price, Jr., Station A, Box 3008, El Paso, Texas, for slaughtered Tubercular reactor cattle.....	975.00
To pay Bennett L. Rose, c/o Farmers Home Adm., El Paso, Texas, for slaughtered Tubercular reactor cattle.....	200.00
To pay John M. Singletary, Jr., Rt. 3, Box 268A, Bryan, Texas, for slaughtered Tubercular reactor cattle.....	150.00
To pay Charles Svoboda, Rt. 2, Floresville, Texas, for slaughtered Tubercular reactor cattle.....	275.00
To pay D. E. Switzer, c/o Farmers Home Adm., San Angelo, Texas, for slaughtered Tubercular reactor cattle.....	50.00
To pay Carroll H. Talley, Rt. 2, Box 37, Floresville, Texas, for slaughtered Tubercular reactor cattle.....	100.00
To pay J. C. Talley, Rt. 2, Box 84, Floresville, Texas, for slaughtered Tubercular reactor cattle.....	100.00
To pay Henry Herring, c/o H & D Dairy, Drawer 217, Clint, Texas, for slaughtered Tubercular reactor cattle.....	950.00
To pay R. O. Collins, c/o Farmers Home Adm., 218 West Campbell, El Paso, Texas, for slaughtered Tubercular reactor cattle.....	225.00
To pay Farmers Dairies, c/o M. A. Naver, 7239 North Loop Rd., El Paso, Texas, for slaughtered Tubercular reactor cattle.....	100.00
To pay Jerrell Cate, Rt. 3, Plainview, Texas, for slaughtered Tubercular reactor cattle.....	150.00
To pay Homer L. Brumley, Box 972, Hereford, Texas, for slaughtered Tubercular reactor cattle.....	75.00
To pay Ray Brown, Box 157, Floresville, Texas, for slaughtered Tubercular reactor cattle.....	25.00
To pay Dr. Chester A. Shaw, Box 69, Vinita, Oklahoma, for travel expense.....	140.00
To pay Gordon V. Peck, 175 Classen Drive, Dallas, Texas, for overpayment of New Resident Tax.....	14.25
Section 2. There is hereby appropriated \$33.75 out of the Old Age Assistance Fund to pay the following:	
To pay Lois McCartney, 3920 Dexter, Fort Worth, Texas, on Warrant No. A934387 on which the Statutes of Limitations prohibits payment.....	33.75
Section 3. There is hereby appropriated \$870.00 out of the Land Office Special Sale Fee Fund No. 65 to pay the following:	
To pay Jake L. Hamon, 1st Natl. Bk. Bldg., Dallas, Texas, for refund of 1% Special Sale Fee paid through error in accordance with Article 5382 D-1 V.C.S.....	870.00
Section 4. There is hereby appropriated \$87,000.00 out of the Permanent Free School Fund to pay the following:	
To pay Jake L. Hamon, 1st Natl. Bk. Bldg., Dallas, Texas, for Oil and Gas Lease under Special Sale. Land Board rescinded action and lease was never issued.....	87,000.00
Section 5. There is hereby appropriated \$2,697.57 out of the Highway Fund to pay the following:	
To pay the First National Bank of Mount Vernon, Mount Vernon, Texas, for Final Judgment No. 4705, 62nd District Court, Franklin County, Texas.....	2,697.57

Section 6. There is hereby appropriated \$3,010.00 out of the Basic Science Examiner's Fund to pay the following:

To pay Dr. W. Mayne Longnecker, Southern Methodist University, Dallas, Texas, for services rendered while actively engaged in performing duties of the Board.	150.00
To pay Brother Raphael Wilson, St. Edward's University, Austin 4, Texas, for services rendered while actively engaged in performing duties of the Board.	1,200.00
To pay Dr. Cornelia M. Smith, Baylor University, Waco, Texas, for services rendered while actively engaged in performing duties of the Board.	400.00
To pay Dr. Aaron Seamster, Del Mar College, Corpus Christi, Texas, for services rendered while actively engaged in performing duties of the Board.	270.00
To pay Dr. Paul C. Witt, Abilene Christian College, Abilene, Texas, for services rendered while actively engaged in performing duties of the Board.	200.00
To pay Dr. Henry B. Hardt, Texas Christian University, Ft. Worth, Texas, for services rendered while actively engaged in performing duties of the Board.	790.00

Section 7. There is hereby appropriated \$12,991.00 out of Veterans' Land Board Special Fund No. 52 to the General Land Office Suspense Fund No. 900. To correct error by the Veterans' Land Board made as a result of a mistake of fact, in transferring money to the Veterans' Land Board Special Fund No. 52 from General Land Office Suspense Fund No. 900

12,991.00

Section 7 A. There is hereby appropriated \$152.71 out of The Available School Fund to pay Arthur G. Elder, Deport, Texas, for refund of delinquent interest on certain lands in Red River County, Texas

152.71

Section 8. It is specifically provided herein that before any claim shall be paid from funds hereby appropriated, the same shall have the approval of the State Auditor, the State Comptroller and the Attorney General. It is further provided that any claim involving the refund of a franchise tax shall carry the approval of the Secretary of State in addition to the other officials herein named.

Section 9. That the Comptroller is hereby authorized and directed to issue a warrant or warrants on the State Treasury in favor of each of the persons, firms, or corporations named herein, in the amounts set opposite their respective names, and shall mail or deliver to each of the said persons, firms, or corporations at their respective addresses, warrant or warrants in payment of said claim or claims, and said persons, firms or corporations shall duly receipt the Comptroller for said warrant or warrants in payment of said claim or claims.

Section 10. The fact that the claims herein appropriated are past due, and the persons, firms and corporations to whom the same are payable are being deprived of the proceeds

thereof, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House, be, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The committee amendment was read.

Senator Parkhouse offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 115 by adding a new Section designated as Section 7 B to read as follows:

There is hereby appropriated Forty-Five Dollars (\$45.00) out of the "Commodity Distribution Fund Number 39" to pay the following:

To pay Foursquare Churches, c/o Charles R. Gaines, 2928 Sharon Avenue, Dallas, Texas, for refund of assessment which was collected and deposited through error. . . . \$45.00

The amendment was adopted.

Senator Hardeman offered the fol-

lowing amendment to the committee amendment:

Amend Committee Amendment No. 1 to Senate Bill No. 115 by adding a new section designated as Section 7C reading as follows:

Section 7C. There is hereby appropriated \$799.81 out of Teacher Retirement Funds to pay the following:

To pay Frank M. Jackson, Executive Secretary-Director of Teacher Retirement System of Texas, Austin, Texas, for services rendered in the above capacity from March 1, 1957, through April 7, 1957, the sum of \$925.00 less \$15.00 Teacher Retirement, \$16.99 Social Security and \$93.20 Withholding Tax for March 1957 \$799.81

The amendment was adopted.

Senator Fly offered the following amendment to the committee amendment:

Amend Committee Amendment No. 1 to S. B. 115 by striking out all of Sec. 6 and renumbering the following sections accordingly.

The amendment failed of adoption by the following vote:

Yeas—9

Bradshaw	Lock
Fly	Roberts
Hardeman	Rogers
Krueger	Weinert
Lane	

Nays—18

Aikin	Owen
Ashley	Parkhouse
Bracewell	Phillips
Colson	Ratliff
Fuller	Reagan
Gonzalez	Secrest
Hazlewood	Smith
Herring	Willis
Kazen	Wood

Absent

Hudson	Moore
Moffett	

Absent—Excused

Martin

Senator Fly offered the following amendment to the committee amendment:

Amend Committee Amendment No.

1 S. B. 115 by striking out all of Lines 41 through 47 of page 3 of the printed bill.

The amendment failed of adoption.

Senator Hardeman offered the following amendment to the committee amendment:

Amend Committee Amendment No. 1 by striking out all of lines 48 through 58, page 3 of S. B. 115.

The amendment was read.

Question—Shall the amendment by Senator Hardeman to the committee amendment to S. B. No. 115 be adopted?

(President in the Chair.)

Bills Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills:

S. B. No. 457, A bill to be entitled "An Act to prohibit the acquisition of certain land by the State Building Commission, prohibiting the appropriation of money to pay the cost of acquiring such land, and declaring an emergency."

S. B. No. 232, A bill to be entitled "An Act amending Article 2624, of the Revised Civil Statutes of Texas, 1925, as amended by Chapters 156 and 171, Acts of the 49th Legislature, Regular Session, 1945, changing the name of the Texas State College for Women at Denton, in Denton County, to the 'Texas University for Women'; etc.; and declaring an emergency."

House Bill 812 Ordered Not Printed

On motion of Senator Rogers and by unanimous consent H. B. No. 812 was ordered not printed.

Conference Committee on House Bill 244

Senator Krueger called from the President's table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 244 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following Conferees on the part of the Senate on the bill:

Senators Krueger, Hardeman, Smith, Ashley, and Bradshaw.

Recess

On motion of Senator Hardeman the Senate at 12:10 o'clock p.m. took recess until 2:30 o'clock p.m. today.

After Recess

The President called the Senate to order at 2:30 o'clock p.m. today.

Senate Bill 115 on Second Reading

The President laid before the Senate on its second reading S. B. No. 115 with an amendment by Senator Hardeman to the committee amendment pending.

Question—Shall the amendment by Senator Hardeman to the committee amendment to S. B. No. 115 be adopted?

Senator Roberts moved to table the amendment.

The motion to table was lost by the following vote:

Yeas—7

Aikin	Herring
Colson	Ratliff
Fuller	Roberts
Hazlewood	

Nays—21

Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Fly	Phillips
Hardeman	Reagan
Hudson	Rogers
Kazen	Secrest
Krueger	Weinert
Lane	Willis
Lock	Wood
Moffett	

Absent

Gonzalez	Smith
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Absent—Excused

Martin

Question recurring on the amend-

ment to the committee amendment, it was adopted.

The committee amendment as amended was then adopted.

Senator Ratliff offered the following committee amendment to the bill:

Amend Senate Bill 115 by striking out all above the enacting clause and inserting in lieu thereof the following:

A BILL

TO BE ENTITLED

"An Act directing payment of certain miscellaneous claims and judgments out of the sum appropriated for that purpose in the General Appropriation Bill; making an appropriation for and directing payment of certain miscellaneous claims and judgments out of other funds designated herein; requiring approval of claims in the manner specified in the Act before payment is made; and declaring an emergency."

The committee amendment was adopted.

The bill as amended was passed to engrossment.

Senate Bill 115 on Third Reading

Senator Ratliff moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 115 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lock
Ashley	Moffett
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—1

Moore

Absent—Excused**Martin**

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed.

Senate Joint Resolution 19 on Second Reading

On motion of Senator Hardeman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. J. R. No. 19, To permit Legislature to delegate authority to zone public highways, roads, streets for speed of motor vehicles, etc.

The resolution was read second time and passed to engrossment.

Senate Joint Resolution 19 on Third Reading

Senator Hardeman moved that the Constitutional Rule and Senate Rule 32 requiring resolutions to be read on three several days be suspended and that S. J. R. No. 19 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Absent**Fuller** **Gonzalez****Absent—Excused****Martin**

The President then laid the resolu-

tion before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Absent**Fuller** **Gonzalez****Absent—Excused****Martin****Senate Bill 484 Ordered Not Printed**

On motion of Senator Lock and by unanimous consent S. B. No. 484 was ordered not printed.

Senate Bill 471 on Second Reading

On motion of Senator Lock and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 471, A bill to be entitled "An Act providing for the coordination of a traffic safety program, authorizing the establishment of a Traffic Safety Council for the promotion of greater safety on the public streets and highways, prescribing its powers and duties, authorizing the employment of certain personnel, the acceptance of donations and expenditure of funds, providing for the cooperation of the various Departments of the State Government, providing a saving clause, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 471 on Third Reading

Senator Lock moved that the Con-

stitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 471 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

Absent

Gonzalez Wood

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

Absent

Gonzalez Wood

Absent—Excused

Martin

Message From the House

Hall of the House of Representatives,
Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 62 by vote of 120 ayes, 2 noes.

The House has concurred in Senate amendments to House Bill No. 320 by vote of 107 ayes, 0 noes.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Conference Committee on
House Bill 103

Senator Aikin called from the President's table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 103 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following Conferees on the part of the Senate on the bill:

Senators Aikin, Colson, Roberts, Smith and Lane.

Senate Bill 484 on Second Reading

Senate Lock moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 484 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

Absent

Gonzalez Wood

Absent—Excused

Martin

The President then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 484, Authorizing State Industrial Commission to conduct program for attracting and locating industries in the state, etc., and declaring an emergency.

The bill was read the second time and was passed to engrossment.

Senate Bill 484 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid S. B. No. 484 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent

Gonzalez

Absent—Excused

Martin

House Bill 371 on Second Reading

Senator Fly asked unanimous consent to suspend the regular order of business and take up H. B. No. 371 for consideration at this time.

There was objection.

Senator Fly then moved to suspend

the regular order of business and take up H. B. No. 371 for consideration at this time.

The motion prevailed by the following vote:

Yeas—18

Ashley	Parkhouse
Bracewell	Phillips
Bradshaw	Ratliff
Fly	Reagan
Hudson	Roberts
Krueger	Smith
Lane	Weinert
Lock	Willis
Moffett	Wood

Nays—9

Aikin	Herring
Colson	Kazen
Fuller	Owen
Hardeman	Secrest
Hazlewood	

Absent

Gonzalez Rogers
Moore

Absent—Excused

Martin

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 371, A bill to be entitled "An Act creating the State Tax Study Commission; providing for the appointment of the members of said Commission; authorizing the making of a comprehensive tax study by the State Tax Study Commission; providing authority to request aid and service in making a tax study; providing for certain reports; and declaring an emergency."

The bill was read second time.

Senator Fly offered the following amendment to the bill:

Amend H. B. No. 371, Section 3, by substituting the following for the final sentence in said Section:

"The factual report of any corporations or individuals whose aid or services the State Tax Study Commission has requested, may be published by the corporation or individuals giving the aid or services with the consent of the Commission."

The amendment was adopted.

Senator Fly offered the following amendment to the bill:

Amend H. B. No. 371, Section 4, to read as follows:

"The State Tax Study Commission shall make a report or reports to the 56th Legislature and the Governor on or before January 1, 1959, on the results of its study, made up to that time, provided however, that it shall not recommend any specific tax in its report. The State Tax Study Commission may at its discretion hold hearings to develop any information or material relevant to its study."

The amendment was adopted.

Senator Fly offered the following amendment to the bill:

Amend Sec. 1 of H. B. No. 371 by striking out of lines 46 and 47 of the printed copy the following words "one (1) of whom shall be chairman of the Senate Finance Committee."

The amendment was adopted.

Senator Bradshaw offered the following amendment to the bill:

Amend House Bill No. 371, page 2, by striking out Section 5 and renumbering the subsequent sections.

The amendment was adopted.

Senator Moffett offered the following amendment to the bill:

Amend H. B. No. 371 by striking out the words "Texas Research League" wherever same appears in said bill.

**BRACEWELL
MOFFETT**

The amendment was adopted.

Senator Owen offered the following amendment to the bill:

Amend H. B. No. 371 by adding a new section after line 61, page 2, Sec. 7, to read as follows:

"The powers herein conferred shall terminate on January 1, 1959."

The amendment was adopted.

On motion of Senator Fly and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

Record of Votes

Senators Aikin and Herring asked

to be recorded as voting "Nay" on the passage of H. B. No. 371 to third reading.

Motion to Place House Bill 371 on Third Reading

Senator Fly moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 371 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—19

Ashley	Moffett
Bracewell	Moore
Bradshaw	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Reagan
Hudson	Roberts
Krueger	Weinert
Lane	Wood
Lock	

Nays—10

Aikin	Owen
Colson	Rogers
Hazlewood	Secrest
Herring	Smith
Kazen	Willis

Absent

Gonzalez

Absent—Excused

Martin

Bills and Resolutions Signed

The President signed in the presence of the Senate after the captions had been read the following enrolled bills and resolutions:

H. B. No. 897, A bill to be entitled "An Act fixing the membership of the Juvenile Board of Waller County and providing compensation for such members; and declaring an emergency."

H. B. No. 43, A bill to be entitled "An Act amending Section 1 of Senate Bill 5, Acts of the 48th Legislature, Regular Session, 1943, Chapter 98, page 168, codified in Vernon's as Article 135b-1, Vernon's Civil Statutes, so as to make the provisions of

the insecticide and fungicide law applicable to household insecticides including any substance or mixture of substances offered for use for preventing, destroying, repelling or mitigating any insects or pests which may infect household goods; making other provisions relating thereto; providing a repealing clause; providing a severability clause; and declaring an emergency."

H. B. No. 917, A bill to be entitled "An Act amending Section 1, Chapter 123, Acts 51st Legislature, Regular Session, 1949, so as to make said Act applicable to independent school districts with scholastic population of 60,000 or more, as determined by last preceding scholastic census; and declaring an emergency."

H. B. No. 935, A bill to be entitled "An Act amending Section 1 of House Bill No. 150, Chapter 150, of the Acts of the 45th Legislature, Regular Session, 1937, as amended, codified as Article 2613a-3, Vernon's Civil Statutes, relating to the leasing by the Board of Directors of the Agricultural and Mechanical College of Texas for oil, gas, sulphur, mineral ore and other mineral developments to the highest bidder at public auction all lands used for experimental stations and all other lands under its exclusive control or any part thereof now owned by the State of Texas and acquired for the use of the Agricultural and Mechanical College of Texas and its divisions or that may be acquired hereafter for the use of the Agricultural and Mechanical College of Texas and its divisions, so as to eliminate provisions of Section 1 as they concern the disposition of certain amounts of bonus and rental payments received prior and subsequent to August 31, 1957, because such provisions are now moot; etc."

H. B. No. 541, A bill to be entitled "An Act concerning traffic signs, authorizing the State Highway Department and local authorities in their respective jurisdiction, to erect yield right-of-way signs for intersections of highways and streets, and providing for a penalty for violating such signs and declaring an emergency."

H. B. No. 696, A bill to be entitled "An Act amending Article 2676, of the Revised Civil Statutes of Texas, 1925, as last amended, to prescribe certain electors and procedures inci-

dent to election of county school trustees; providing a severability clause; and declaring an emergency."

H. B. No. 653, A bill to be entitled "An Act establishing and providing for a State mentally retarded school; regulating and providing for the operation of same; and declaring an emergency."

H. B. No. 290, A bill to be entitled "An Act to amend Article 7987 of the Revised Civil Statutes of Texas, 1925, as amended, so as to increase the compensation of 'district supervisors' of levee improvement districts to be fixed by the Commissioners Courts; and declaring an emergency."

H. B. No. 931, A bill to be entitled "An Act fixing the open and closed seasons for squirrels in Montgomery County, Texas; providing a penalty for violation; repealing conflicting laws; and declaring an emergency."

H. B. No. 896, A bill to be entitled "An Act relating to fur-bearing animals, amending Article 923m, Revised Penal Code of Texas, 1925, defining coypu as a fur-bearing animal, providing for a hunting season for fur-bearing animals, fixing a time limit for the drying and selling of pelts taken from fur-bearing animals, prohibiting the hunting of mink with dogs; providing for a penalty and declaring an emergency."

H. B. No. 45, A bill to be entitled "An Act to authorize the recovery of civil damages due to the malicious or wilful damage to or destruction of property by minors; and declaring an emergency."

H. B. No. 296, A bill to be entitled "An Act validating, ratifying and confirming interest bearing time warrants authorized by cities of this State since the enactment of Chapter 362 of the 54th Legislature of Texas, Regular Session, 1955; and all proceedings of the governing body relating thereto; validating refunding bonds issued for the purpose of refunding time warrants issued by such cities; providing that this Act shall not apply to any such time warrants or any refunding bonds issued to refund time warrants the validity of which is involved in litigation at the time this Act becomes effective; and declaring an emergency."

H. B. No. 924, A bill to be entitled

"An Act relating to the hunting, taking, or killing of deer in Duval County; prescribing an open season for Duval County; fixing a penalty; and declaring an emergency."

H. B. No. 539, A bill to be entitled "An Act providing that it shall be unlawful to sell, or offer for sale, any rat poison, insect poison, or any other preparation which contains thallium sulphate or any other thallium compound, in sufficient quantity to be dangerous to the health or life of a human being; declaring violation of this Act to be a misdemeanor punishable by a fine, and prescribing a penalty for the violation thereof; and declaring an emergency."

H. B. No. 715, A bill to be entitled "An Act fixing the maximum salary for the court reporter of the 10th Judicial District of Galveston County and declaring an emergency."

H. B. No. 937, A bill to be entitled "An Act providing for a closed season in Matagorda and Brazoria Counties upon wild turkey until April 30, 1963; providing a penalty; and declaring an emergency."

H. B. No. 622, A bill to be entitled "An Act authorizing the annexation to any drainage district heretofore or hereafter organized under Section 52, Article III of the Constitution of Texas, which lies wholly within one county and has no outstanding bonds and has not theretofore been converted into a conservation and reclamation district under Section 59, Article XVI of the Constitution, of territory contiguous to the district and lying wholly within the same county but outside of any other drainage district and outside of any incorporated city, town or village; prescribing the method of procedure whereby such territory may be added; etc.; and declaring an emergency."

H. B. No. 226, A bill to be entitled "An Act to amend Section 2 of House Bill 402, Acts of the 53rd Legislature, Regular Session, 1953, Chapter 349, page 858, codified in Vernon's as Article 135b-4, Vernon's Civil Statutes, by changing the definition of 'herbicide' within the meaning of the provisions of said Act which regulates the sale and use of hormone type herbicides; providing a severability clause; and declaring an emergency."

H. B. No. 437, A bill to be entitled

"An Act amending Section 2 of Chapter 297, Acts of the 52nd Legislature, as amended, which prohibits the sale of fish taken from the public fresh waters of certain counties, by excepting the Sabine River in Sabine County therefrom; legalizing the sale of fish, except bass and crappie, taken from the Sabine River in Sabine County, and making the taking and sale of fish from these waters subject to the general laws of this State; repealing conflicting laws; and declaring an emergency."

H. B. No. 880, A bill to be entitled "An Act authorizing and directing the Board of Regents of the North Texas State College of Denton, Texas, acting by the President of said college, to execute and deliver to the City of Denton, Texas, an easement across certain land in the City and County of Denton, Texas, for the construction, reconstruction, maintenance and operation of water pipe lines; providing for approval of the form of the conveyance; and declaring an emergency."

H. B. No. 761, A bill to be entitled "An Act amending Section 2, Chapter 291, Acts of the Forty-seventh Legislature, Regular Session, 1951; providing for the printing and binding of Abstract Volumes by the Commissioner of the General Land Office; and declaring an emergency."

H. B. No. 293, A bill to be entitled "An Act providing for the selection of jurors in capital criminal cases, under certain circumstances, amending Article 591 of the Code of Criminal Procedure of Texas, 1925, as amended, and Article 601-A, Code of Criminal Procedure of Texas, 1925, as amended by S. B. 397, Acts of the 44th Legislature, Regular Session, 1937, Chapter 241, as amended by H. B. 857, Acts of the 51st Legislature, Regular Session, 1949, Chapter 623; providing a repealing clause; providing a severability clause; and declaring an emergency."

H. B. No. 390, A bill to be entitled "An Act regulating the taking and killing of deer in Upshur and Wood Counties, Texas; providing open and closed seasons; providing penalties for violation of this Act; and declaring an emergency."

H. B. No. 711, A bill to be entitled "An Act providing an open season in

Wood County for hunting and killing pheasants; repealing conflicting laws; and declaring an emergency."

H. B. No. 329, A bill to be entitled "An Act providing a method of financing the operation of the Texas Commission on Alcoholism; amending Section 18 of Chapter 411, Acts of the 53rd Legislature, Regular Session, 1953; and declaring an emergency."

H. B. No. 877, A bill to be entitled "An Act to amend Subsection (c) of Section 1, Chapter 300, Acts of the 53rd Legislature, Regular Session, 1953 (codified as Article 1934a-15 of Vernon's Texas Civil Statutes), to raise the minimum and maximum salaries of the secretary or stenographer of the County Judge in counties having a population of 50,001 and not more than 100,000 inhabitants."

H. C. R. No. 82, Granting permission to W. A. Moser to sue the State.

H. C. R. No. 42, Granting permission to James Leslie Joyner and wife, Mary Louise Reeves Joyner, to sue the State of Texas and State Highway Department.

House Bill 790 on Second Reading

On motion of Senator Phillips and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 790, A bill to be entitled "An Act amending Chapter 352, Acts of the Regular Session of the 50th Legislature, (as heretofore amended), pertaining to the Employees Retirement System of Texas; prescribing the conditions upon which this Act shall become effective as a law; declaring the Act to be severable; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 790 on Third Reading

Senator Phillips moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 790 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fuller	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Nays—1

Fly

Absent

Gonzalez

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 691 on Second Reading

On motion of Senator Parkhouse and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 691, A bill to be entitled "An Act enabling cities to create Hospital Authorities, without taxing power; defining terms used in the Act; etc., and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 691 on Third Reading

Senator Parkhouse moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 691 be placed on its third reading and final passage.

The motion prevailed by the following vote.

Yeas—30

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Nays—1

Bracewell

Absent—Excused

Martin

House Bill 301 on Second Reading

On motion of Senator Ashley and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 301, A bill to be entitled "An Act amending Title 69, Chapter 1 of the Revised Civil Statutes of Texas, 1925, as amended by Acts

1937, by the 45th Legislature, by a new section thereto to be known as Article 4112b, to provide that the Judge of District Court may order the Clerk of said court to pay any fund of \$1000.00 or less on deposit in the Registry of said Court, belonging to any lunatic, idiot or person of unsound mind without a legal guardian, who is an inmate of any State Eleemosynary Institution to said institution for the use and benefit of said inmate, and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 301 on Third Reading

Senator Ashley moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 301 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Fuller
Ashley	Gonzalez
Bracewell	Hardeman
Bradshaw	Hazlewood
Colson	Herring
Fly	Hudson

Kazen	Ratliff
Krueger	Reagan
Lane	Roberts
Lock	Rogers
Moffett	Secrest
Moore	Smith
Owen	Weinert
Parkhouse	Willis
Phillips	Wood

Absent—Excused

Martin

Senate Concurrent Resolution 95

Senator Willis offered the following resolution:

S. C. R. No. 95, Suspending Joint Rules to consider S. B. No. 287.

Be it resolved, By the Senate of Texas, the House of Representatives concerning, That the Joint Rules be and they are hereby suspended so that the House may take up and consider Senate Bill No. 287 at any time.

The resolution was read.

Senator Willis asked unanimous consent to consider the resolution immediately.

There was objection.

Senator Willis moved to consider the resolution immediately.

The motion was lost by the following vote:

Yeas—14

Aikin	Owen
Colson	Phillips
Herring	Roberts
Hudson	Rogers
Krueger	Secrest
Lane	Smith
Moore	Willis

Nays—15

Ashley	Lock
Bracewell	Moffett
Bradshaw	Parkhouse
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Weinert
Hazlewood	Wood
Kazen	

Absent

Fly

Absent—Excused

Martin

The resolution was then referred to the Committee on State Affairs.

**Motion to Place
House Bill 235 on Second Reading**

Senator Lane asked unanimous consent to suspend the regular order of business and take up H. B. No. 235 for consideration at this time.

There was objection.

Senator Lane then moved to suspend the regular order of business and take up H. B. No. 235 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—16

Aikin	Lock
Bracewell	Moffett
Bradshaw	Parkhouse
Colson	Ratliff
Hardeman	Roberts
Hazlewood	Smith
Krueger	Willis
Lane	Wood

Nays—10

Ashley	Kazen
Fly	Owen
Gonzalez	Reagan
Herring	Secrest
Hudson	Weinert

Present—Not Voting

Rogers

Absent

Fuller	Phillips
Moore	

Absent—Excused

Martin

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 938, An Act making an emergency appropriation to the Adjutant General's Department, supple-

menting the current appropriation for Martial Law and Emergency Use of Troops, for the remainder of the fiscal year ending August 31, 1957; and declaring an emergency."

S. B. No. 426, A bill to be entitled "An Act creating a permanent historical committee to be known as the Texas State Historical Survey Committee; providing powers, duties and organization, and term of office of the Texas State Historical Survey Committee; providing that the present members of the Texas State Historical Survey Committee shall continue to serve as members of the committee; providing method of filling vacancies; making other provisions relating to the Texas State Historical Survey Committee; providing a severability clause and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 942 on Second Reading

On motion of Senator Colson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 942, A bill to be entitled "An Act authorizing and directing the Texas Prison Board, acting by the Chairman thereof, to execute and deliver to the State Highway Commission of Texas a right of way easement to certain lands in Walker County, Texas, for the construction and maintenance of U. S. Highway 75 By-Pass Loop extending along and across certain State properties known as the Wynne Prison Farm and the Goree Prison Farm; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 942 on Third Reading

Senator Colson moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 942 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

(President Pro Tempore in the Chair.)

House Bill 439 on Second Reading

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 439, A bill to be entitled "An Act amending Sections 7, 12, 13, 17 and 20 of Chapter 107, Acts of the 41st Legislature, Regular Session,

1929, as amended, codified in Vernon's as Article 4542a, Vernon's Civil Statutes, relating to the regulation of the practice of pharmacy; prescribing the powers and duties of the State Board of Pharmacy; making other provisions relating to the practice of pharmacy; stating purpose of this Act; providing a repealing clause; providing a severability clause; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 439 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 439 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Nays—1

Bradshaw

Absent—Excused

Martin

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Fly
Ashley	Fuller
Bracewell	Gonzalez
Bradshaw	Hardeman
Colson	Hazlewood

Herring	Phillips
Hudson	Ratliff
Kazen	Reagan
Krueger	Roberts
Lane	Rogers
Lock	Secrest
Moffett	Smith
Moore	Weinert
Owen	Willis
Parkhouse	Wood

Absent—Excused

Martin

House Bill 858 on Second Reading

On motion of Senator Roberts and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 858, A bill to be entitled "An Act changing the name of East Texas State Teachers College to East Texas State College; fixing an effective date; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 858 on Third Reading

Senator Roberts moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill 858 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 75, A bill to be entitled "An Act increasing the salaries of the Justices of the Supreme Court, the Judges and Commissioners of the Court of Criminal Appeals, the Justices of the Courts of Civil Appeals, and the Judges of the District Courts and Criminal District Courts of this State; providing for and fixing their salaries; providing that this Act shall not repeal any law authorizing supplemental compensation paid by the counties; repealing conflicting laws; and declaring an emergency."

(With amendments.)

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 812 on Second Reading

On motion of Senator Rogers and by unanimous consent, the regular order of business was suspended to take up for consideration at this time

on its second reading and passage to third reading:

H. B. No. 812, A bill to be entitled "An Act amending Subsection (a) of Section 1, Article XVII, Chapter 184, Acts of the Regular Session of the Forty-seventh Legislature, as amended to redefine the term 'motor fuel'; repealing conflicting provisions of law, and preserving taxes, penalties, interest, liens, bonds and penal provisions existing prior to the amendment; containing a savings clause, and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 812 on Third Reading

Senator Rogers moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 812 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Fuller
Ashley	Gonzalez
Bracewell	Hardeman
Bradshaw	Hazlewood
Colson	Herring
Fly	Hudson

Kazen	Ratliff
Krueger	Reagan
Lane	Roberts
Lock	Rogers
Moffett	Secrest
Moore	Smith
Owen	Weinert
Parkhouse	Willis
Phillips	Wood

Absent—Excused

Martin

House Bill 154 on Second Reading

On motion of Senator Parkhouse and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 154, A bill to be entitled "An Act amending Section 76 of Chapter 25, Acts of the 39th Legislature, Regular Session, 1925, as amended (codified in Vernon's Civil Statutes as Article 7880-76) so as to provide for an appeal to the proper District Court of any decision made by the board of directors of a water control and improvement district excluding or failing to exclude lands from the district; leaving the balance of such section 76 intact; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 154 on Third Reading

Senator Parkhouse moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 154 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Kazen
Ashley	Krueger
Bracewell	Lane
Bradshaw	Lock
Colson	Moffett
Fly	Moore
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Rogers
Hudson	Secrest

Smith	Willis
Weinert	Wood

Nays—2

Owen Roberts

Absent—Excused

Martin

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 380 on Second Reading

Senator Moffett asked unanimous consent to suspend the regular order of business and take up S. B. No. 380 for consideration at this time.

There was objection.

Senator Moffett then moved to suspend the regular order of business and take up S. B. No. 380 for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	Wood
Lane	

Nays—2

Fly Weinert

Absent

Rogers

Absent—Excused

Martin

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 380, A bill to be entitled "An Act making an emergency ap-

propriation for the payment of salaries of the citizen board members of the Veterans' Land Board; providing the method of payment and the effective date of the salaries; and declaring an emergency."

The bill was read second time.

Senator Willis offered the following amendment to the bill:

Amend Senate Bill No. 380 by striking out the words and figures "Three Thousand Six Hundred (\$3,600.00) Dollars" wherever they occur in said bill and inserting in lieu thereof the words and figures Two Thousand Four Hundred (\$2,400.00) Dollars."

The amendment was read.

On motion of Senator Moffett the amendment was tabled.

The bill was passed to third reading.

Senate Bill 380 on Third Reading

Senator Moffett moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 380 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Willis
Lane	Wood

Nays—2

Fly Weinert

Absent—Excused

Martin

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—28

Aikin	Lock
Askley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Willis
Lane	Wood

Nays—2

Fly Weinert

Absent—Excused

Martin

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

Motion to reconsider vote by which House concurred in Senate amendments prevailed, and the House refused to concur in Senate amendments to House Bill No. 418 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

S. B. No. 478, A bill to be entitled "An Act authorizing the State Youth Council to relocate the site of the Blind, Deaf and Orphans School, providing the Youth Council with the authority to dispose of surplus land at the present site of the Blind, Deaf and Orphans School, allowing the Youth Council to construct new facilities for the Blind, Deaf and Orphans School, directing the Youth Council to transfer certain lands and property to and accept land of the State Board for Hospitals and Special Schools, and declaring an emergency."

(With amendment.)

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

**Senate Bill 75 with
House Amendments**

Senator Willis called S. B. No. 75 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Willis moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

House Bill on First Reading

The following bill received from the House was read first time and referred to the committee indicated:

H. B. No. 938, To the Committee on Counties, Cities and Towns.

House Bill 482 on Second Reading

On motion of Senator Fly and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 482, A bill to be entitled "An Act amending subparagraph (c) of paragraph (1) of Section 1, Article 3.50, subchapter E, of Senate Bill No. 236, Chapter 491, Acts of the Fifty-second Legislature, Regular Session, 1951, to permit the issuance of group life insurance covering not less than ten employees under a master policy issued to an employer or to the trus-

tees of a fund established by an employer; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 482 on Third Reading

Senator Fly moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 482 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the
Senate.

Sir: I am directed by the House to
inform the Senate that the House has
passed the following:

H. B. No. 8, A bill to be entitled
"An Act amending Article IV of Sen-
ate Bill 116, Chapter 334, Acts of
the 51st Legislature, Regular Ses-
sion, 1949, as amended by the addi-
tion of Section 1-a thereto in Senate
Bill No. 1, Chapter 5, Acts of the
53rd Legislature, First Called Ses-
sion, 1954, and as amended by the
addition of Section 1-b and other pro-
visions thereto in House Bill 720,
Chapter 436, Acts of the 54th Leg-
islature, Regular Session, 1955, so
as to improve the minimum teacher
salary schedule in the Foundation
School Program Act; providing this
Act shall be effective beginning with
the school year 1957-58 and there-
after, and declaring an emergency."

H. B. No. 78, A bill to be entitled
"An Act amending Chapter 562, Page
914, General and Special Laws of the
State of Texas, 47th Legislature, Reg-
ular Session, 1941, as amended, which
is codified as Article 695c, Vernon's
Texas Civil Statutes, by adding three
new Sections to be known as 16-A,
16-B, 16-C, and amending Subsection
(1) of Section 27 and Section 28; pro-
viding for financial assistance to needy
individuals who are at least eighteen
(18) years of age and not more than
sixty-five (65) years of age who are
permanently and totally disabled; pro-
viding eligibility requirements for
such assistance; designating the State
Department of Public Welfare as the
State Department to administer such
program, and authorizing the said De-
partment to cooperate with the De-
partment of Health, Education, and
Welfare or any other Federal Agency
authorized to administer such aid;
providing for the payment of such as-
sistance and the administrative ex-
penses incident thereto; providing for
the acceptance and use of any Federal
monies allocated to the State Depart-
ment of Public Welfare for the pay-
ment of assistance or for administra-
tive costs; amending Section 2, Ar-
ticle XX of Chapter 184, Acts of 47th

Legislature, Regular Session, 1941, as
amended, by adding a new Subsection
to be known as Subsection (6), and
amending Subsection 4-c; providing
for the allocation of State funds to
the Special Fund created in the State
Treasury to be known as the "Disabled
Assistance Fund"; making an appro-
priation for payment of administra-
tive expenses for the remainder of the
fiscal year ending August 31, 1957;
making an appropriation for payment
of administrative expenses for each
year of the biennium beginning Sep-
tember 1, 1957 and ending August
31, 1959; and providing a repealing
clause, a saving clause and declaring
an emergency."

Respectfully, submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 764 on Second Reading

On motion of Senator Krueger and
by unanimous consent, the regular
order of business was suspended to
take up for consideration at this
time on its second reading and pas-
sage to third reading:

H. B. No. 764, A bill to be entitled
"An Act authorizing and directing
the Commissioner of the General
Land Office to enter into an agree-
ment or agreements with the appro-
priate agency of the Federal Govern-
ment to contract for a survey of the
Texas Gulf Coast line for the pur-
pose of determining the low water
contour along said Gulf Coast line;
etc.; and declaring an emergency."

The bill was read second time and
passed to third reading.

House Bill 764 on Third Reading

Senator Krueger moved that the
Constitutional Rule and Senate Rule
32 requiring bills to be read on three
several days be suspended and that
House Bill No. 764 be placed on its
third reading and final passage.

The motion prevailed by the fol-
lowing vote:

Yeas—30

Aikin	Fuller
Ashley	Gonzalez
Bracewell	Hardeman
Bradshaw	Hazlewood
Colson	Herring
Fly	Hudson

Kazen	Ratliff
Krueger	Reagan
Lane	Roberts
Lock	Rogers
Moffett	Secrest
Moore	Smith
Owen	Weinert
Parkhouse	Willis
Phillips	Wood

Absent—Excused

Martin

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

House Bill 479 on Second Reading

Senator Secrest asked unanimous consent to suspend the regular order of business and take up H. B. No. 479 for consideration at this time.

There was objection.

Senator Secrest then moved to suspend the regular order of business and take up H. B. No. 479 for consideration at this time.

The motion prevailed by the following vote:

Yeas—21

Ashley	Hazlewood
Bradshaw	Hudson
Colson	Krueger
Fuller	Lane
Gonzalez	Lock
Hardeman	Moffett

Moore	Reagan
Owen	Secrest
Parkhouse	Smith
Phillips	Weinert
Ratliff	

Nays—4

Aikin	Herring
Fly	Roberts

Absent

Bracewell	Willis
Kazen	Wood
Rogers	

Absent—Excused

Martin

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 479, A bill to be entitled "An Act to amend Article 3.12 of Chapter 3 of the Insurance Code (Acts 1951, 52nd Legislature, Regular Session), so as to provide no 'domestic' company shall pay to any of its officers, trustees, or directors a salary, compensation or emolument, or pay any such salary, compensation or emolument to any person, firm or corporation, amounting in any one year to more than Ten Thousand (\$10,000.00) Dollars, unless such payment be first authorized by vote of the board of directors of such company; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Vote

Senator Herring asked to be recorded as voting "Nay" on the passage of H. B. No. 479 to third reading.

House Bill 479 on Third Reading

Senator Secrest moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 479 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—22

Ashley	Bradshaw
Bracewell	Colson

Fuller	Moffett
Gonzalez	Owen
Hardeman	Parkhouse
Hazlewood	Phillips
Hudson	Reagan
Kazen	Rogers
Krueger	Secrest
Lane	Smith
Lock	Weinert

Nays—5

Aikin	Ratliff
Fly	Roberts
Herring	

Absent

Moore	Wood
Willis	

Absent—Excused

Martin

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—23

Ashley	Lock
Bracewell	Moffett
Bradshaw	Moore
Colson	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Reagan
Hazlewood	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	

Nays—5

Aikin	Ratliff
Fly	Roberts
Herring	

Absent

Willis	Wood
--------	------

Absent—Excused

Martin

Message from the House

Hall of the House of Representatives
Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 524, A bill to be entitled "An Act requiring all contracts relating to the distribution and licensing of motion pictures or films to be shown in theaters in the State of Texas, shall be construed in accordance with the laws of this State; providing venue of suits arising out of such license agreements; providing a repealing clause; providing a severability clause; and declaring an emergency."

H. C. R. No. 113, Granting H. A. Clements permission to sue the State of Texas.

S. B. No. 444, A bill to be entitled "An Act requiring every report, annual report, return, declaration, statement, or other document required to be made by any person, firm, association, company, corporation or other insurance organization under any provision of the Insurance Code (Acts 1951, 52nd Leg., Ch. 491, p. 868, as amended) to be verified by written declaration under penalties of perjury; prescribing the form of verification; providing penalties as against any person who wilfully makes such verification as to matters which are not true in every material matter, or who wilfully aids or assists in, or procures, or counsels, or advises the preparation thereof as to matters which are fraudulent, false or incorrect in any material way, or who simulates or falsely or fraudulently executes or signs any such report, annual report, return, declaration, statement or document, or who aids in, or connives in the execution thereof; declaring that a conviction thereof, punished by fine and imprisonment in the penitentiary; providing a savings clause; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Motion to Place House Bill 555 on Second Reading

Senator Fly asked unanimous consent to suspend the regular order of business and take up H. B. No. 555 for consideration at this time.

There was objection.

Senator Fly then moved to suspend

the regular order of business and take up H. B. No. 555 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—16

Aikin	Lane
Ashley	Lock
Bradshaw	Moore
Colson	Parkhouse
Fly	Phillips
Hudson	Reagan
Kazen	Smith
Krueger	Weinert

Nays—11

Fuller	Owen
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Willis
Moffett	

Present—Not Voting

Wood

Absent

Bracewell Ratliff

Absent—Excused

Martin

House Bill on First Reading

The following bill received from the House was read first time and referred to the committee indicated:

H. B. No. 8, To the Committee on Education.

House Concurrent Resolution 93
Re-referred

On motion of Senator Lane and by unanimous consent H. C. R. No. 93 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Counties, Cities and Towns.

Report of Standing Committee

Senator Owen by unanimous consent submitted the following report:

Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Coun-

ties, Cities and Towns, to whom was referred H. C. R. No. 93, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

House Concurrent Resolution 105
on Second Reading

On motion of Senator Aikin and by unanimous consent the President Pro Tempore laid before the Senate on its second reading the following resolution:

H. C. R. No. 105, Authorizing the appointment of a Study Commission to consider the problems confronting public school education.

The resolution was read and was adopted.

Conference Committee Report
on Senate Bill 86

Senator Lane submitted the following Conference Committee Report on S. B. No. 86:

Austin, Texas,
May 17, 1957.

Honorable Ben Ramsey, President of the Senate.

Honorable Waggoner Carr, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. B. No. 86, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

MARTIN
LANE
HARDEMAN
ROBERTS
AIKIN

On the part of the Senate.

MYATT
WHITE
MULLEN
KELLY
BISHOP

On the part of the House.

S. B. No. 86:

A BILL
TO BE ENTITLED

An Act to amend Chapter 156, Acts of the 40th Legislature, Regular Ses-

sion, 1927, as amended, (Article 200a, Vernon's Texas Civil Statutes), relating to administrative judicial districts, by adding thereto a section to be known as Section 5a, providing for the assignment of retired and regular district judges, their duty to serve unless for good cause excused; providing for appeal to Chief Justice of the Supreme Court of Texas under certain circumstances; providing compensation of retired district judges while serving on assignment; providing a severability clause; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Chapter 156, Acts of the 40th Legislature, Regular Session, 1927, as amended, which is codified as Article 200a of Vernon's Texas Civil Statutes, is hereby amended by adding a new section, designated as Section 5a, which shall read as follows:

"Section 5a. Both Retired District Judges, as defined by Article 6228(b) of the Revised Civil Statutes of Texas, as amended, who have consented to be subject to assignment, and all regular District Judges in this State may be assigned under the provisions of this Act by the Presiding Judge of the Administrative Judicial District wherein such assigned Judge resides. When such District Judge is so assigned by the Presiding Judge of an Administrative Judicial District to a Court in the same administrative district, or to a Court in another administrative district upon call of the Presiding Judge of such other administrative district and then reassigned as provided for in Section 6 of this Act, as amended, it shall be the duty of such Judge so assigned or reassigned to serve in such Court or administrative district to which he may be assigned, or reassigned, unless for good cause presented by him in writing to the Presiding Judge of his administrative district, he shall be relieved of such assignment by such Presiding Judge; provided however, after the presentation of a written statement declining such duty for good cause by such District Judge, if the presiding judge refuses to relieve the District Judge from the assignment, the District Judge may, within five days after such refusal, petition the Chief Justice of the Supreme Court of the State of Texas

to be relieved from such assignment for good cause, which said Chief Justice may at his discretion grant or refuse.

"The compensation, salaries and expenses of such Judges while so assigned or reassigned shall be paid in accordance with the laws of the State, except that the salary of such retired Judges shall be paid out of moneys appropriated from the General Revenue Fund for such purpose in an amount representing the difference between all of the retirement benefits of such Judge as a Retired District Judge and the salary and compensation from all sources of the Judge of the Court wherein he is assigned, and determined pro rata for the period of time he actually sits as such assigned Judge."

Sec. 2. If any provision of this Act or the application thereof to any person or circumstance is held invalid, this invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared severable.

Sec. 3. The fact that there is now no duty upon a District Judge to accept assignment to another district creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The report was read and was adopted by the following vote:

Yeas—30

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

(President in the Chair.)

**Senate Concurrent Resolution 39
on Second Reading**

On motion of Senator Wood and by unanimous consent the President laid before the Senate on its second reading the following resolution:

S. C. R. No. 39, Requesting the Legislative Council to study problems and needs of physically handicapped and mentally retarded youth of Texas.

The resolution was read and was adopted.

Senate Bill 397 on Second Reading

On motion of Senator Hardeman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 397, A bill to be entitled "An Act to provide for the acquisition of certain lands, buildings and structures; to provide for the equipping, operating and maintaining of buildings; providing for the issuance and sale of revenue bonds or notes by the State Building Commission; etc., and declaring an emergency.

The bill was read second time.

Senator Hardeman offered the following amendment to the bill:

Amend Senate Bill 397 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. The State Building Commission is hereby given the authority to purchase and acquire by a general warranty deed the property and improvements owned by the Austin Knights of Columbus Home Association being the East one-half ($\frac{1}{2}$) of lots number eleven (11) and twelve (12) in Block one hundred seventy three (173) of the original City of Austin, Travis County, Texas according to the map or plat of said original city on file in the General Land Office of the State of Texas.

"Section 2. There is hereby appropriated out of the General Revenue Fund of the State of Texas the sum of one hundred eighty-five thousand and five hundred dollars (\$185,500.00)

for the purpose of making such acquisition.

"Section 3. For the purpose of renovating, repairing and making such changes as are required to make any buildings heretofore or hereafter acquired by the State Building Commission, functional and usable by State Departments, any rentals from said buildings, including those rentals received under the provisions of Senate Bill 316, Acts of the Fifty-fifth Legislature, 1957, are hereby appropriated to the State Building Commission to be held in a special fund and so much thereof as needed shall be expended for such purposes. Nothing herein shall permit the rental of the facilities herein acquired to other than state agencies unless such persons, corporations or agencies are presently in possession and no rent shall be charged state agencies who occupy said premises.

"Section 4. The fact that the Knights of Columbus have offered to sell the land and buildings to the State at a reasonable price and the necessity to provide a method for acquiring such structures creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

Senator Hardeman offered the following amendment to the bill:

Amend Senate Bill 397 by striking out all above the enacting clause and substituting in lieu thereof the following:

**A BILL
TO BE ENTITLED**

"An Act permitting the State Building Commission to acquire the Knights of Columbus Hall; making an appropriation; providing for the application of revenues from the Hall and other specified structures; providing for occupancy of the structures; and declaring an emergency."

The amendment was adopted.

The bill as amended was passed to engrossment.

Senate Bill 397 on Third Reading

Senator Hardeman moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 397 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—27

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Nays—3

Bradshaw	Parkhouse
Fly	

Absent—Excused

Martin

Reports of Standing Committees

Senator Willis by unanimous consent submitted the following report:

Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. B. No. 8, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WILLIS, Chairman.

Senator Owen by unanimous consent submitted the following report:

Austin, Texas,
May 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 938, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

House Bill 938 Ordered Not Printed

On motion of Senator Bradshaw and by unanimous consent H. B. No. 938 was ordered not printed.

Adjournment

On motion of Senator Weinert the Senate at 5:22 o'clock p.m. adjourned until 10:00 o'clock a.m. on Monday, May 20, 1957.

Record of Votes

Senators Phillips and Colson asked to be recorded as voting "Nay" on the motion to adjourn.

In Memory of
Honorable A. G. Mayse

Senator Aikin offered the following resolution:

(Senate Resolution 569)

Whereas, Our Heavenly Father in His infinite wisdom did call from his earthly labors on the fifth day of September, 1955, the Honorable A. G. Pat Mayse, publisher of The Paris News since 1929, and long-time prominent civic leader of Paris; and

Whereas, He was born at Columbia, Tennessee, on August 16, 1889; was the son of the late Mr. and Mrs. J. S. Mayse, and when he was four years old, the family moved to Texas, where he was reared at Brady, attending schools there; and

Whereas, He moved to Paris on April 11, 1929, as President and General Manager of the North Texas Publishing Company, publishing The Paris News, in co-ownership with Houston Harte of San Angelo and Bernard Hanks of Abilene; and

Whereas, He was an active member of the First Baptist Church of Paris, which he served on its board of deacons; and

Whereas, His civic associations and leaderships were wide, including memberships in the Paris Masonic Lodge; the Knights of Pythias; President of the North Texas Broadcasting Company in December, 1936, which was Paris' first radio station, KPLT; and

Whereas, He was on innumerable boards for civic, charitable and agricultural groups, including a charter membership in the Red River Valley Association; he was twice appointed a regent of Texas Technological College, Lubbock, Texas; was a past National Democratic Committee Chairman for the First Congressional District; he was the recipient of the Antelope Award, the highest honor conferred on an individual for Boy Scouts of America work, having served as Lone Star Area Council President; now, therefore, be it

Resolved, That in the passing of the Honorable A. G. Pat Mayse, the Senate of Texas mourns the loss of a great citizen and an outstanding leader in his community; that as a tribute to his memory this resolution be adopted by the Senate and printed in its Journal; and that when we adjourn today, we do so in his honor; and be it further

Resolved, That copies of this resolution be mailed to each surviving member of his family as an expression of our sympathy.

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of
Walter McHale

Senator Lock offered the following resolution:

(Senate Resolution 570)

Whereas, On May 15, 1957, Almighty God in His Infinite Wisdom called from this life Walter McHale of Lufkin, Texas; and

Whereas, Mr. McHale was born in Darien, Connecticut in July of 1896; and

Whereas, Mr. McHale came to Angelina County in 1939, since which time he has devoted a large portion of his time to serving the interests of his fellow man; and

Whereas, He was active in civil and religious affairs of his community, being an Elder in the First Presbyterian Church; Member and Past Director of the Rotary Club; Chairman of the Summer Recreation Program for the young people of Angelina County; Director of the Chamber of Commerce; President of the East Texas Council of the Girl Scouts; and Vice-President and General Manager of the Southland Paper Mills; and

Whereas, The citizens of Angelina County and all of Texas have lost a most valuable citizen in the passing of Mr. McHale; now, therefore, be it

Resolved, By the Senate of the State of Texas, that we pay tribute to the memory of this fine citizen and extend the sincere sympathy of this body to his wife, Mrs. Hildegard McHale, and his daughter, Mrs. Neil Artman, and be it further

Resolved, That copies of this resolution be mailed to each member of his family as a token of our respect and sympathy.

The resolution was read and was adopted by a rising vote of the Senate.